

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA DIVISION**

CASE NO.: 2:25-cv-135

IVAN RADIC,	
	Plaintiff,
v.	
AAMCO TRANSMISSIONS INC,	
	Defendant.

COMPLAINT FOR COPYRIGHT INFRINGEMENT

(INJUNCTIVE RELIEF DEMANDED)

Plaintiff IVAN RADIC by and through his undersigned counsel, brings this Complaint against Defendant AAMCO TRANSMISSIONS INC for damages and injunctive relief, and in support thereof states as follows:

SUMMARY OF THE ACTION

1. Plaintiff IVAN RADIC (“RADIC”) brings this action for violations of exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute RADIC's original copyrighted Work of authorship.
2. RADIC has been a professional photographer since 2017. RADIC works with many different clients and focuses on different styles of photography.
3. Defendant AAMCO TRANSMISSIONS INC (“AAMCO”) is an American transmission-repair company. At all times relevant herein, AAMCO owned and operated the several internet websites, including <https://www.aamco.com/> and <https://x.com/AAMCO> (“Website”).

4. RADIC alleges that AAMCO copied RADIC's copyrighted Work from the internet in order to advertise, market and promote its business activities. AAMCO committed the violations alleged in connection with Defendant's business for purposes of advertising and promoting sales to the public in the course and scope of the AAMCO's business.

JURISDICTION AND VENUE

5. This is an action arising under the Copyright Act, 17 U.S.C. § 501.

6. This Court has subject matter jurisdiction over these claims pursuant to 28 U.S.C. §§ 1331, 1338(a).

7. AAMCO Transmissions Inc is subject to personal jurisdiction in Pennsylvania.

8. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and 1400(a) because the events giving rise to the claims occurred in this district, AAMCO engaged in infringement in this district, AAMCO resides in this district, and AAMCO is subject to personal jurisdiction in this district.

DEFENDANT

9. AAMCO is a Pennsylvania corporation, with its principal place of business at 410 Horsham Road, Suite 105, Horsham, PA, 19044 and can be served by serving the Jordan Zucker at the same address.

THE COPYRIGHTED WORK AT ISSUE

10. In 2019, RADIC created the photograph entitled "Close up of VOLKSWAGEN trademark sign on a car," which is shown below and referred to herein as the "Work".



11. RADIC registered the Work with the Register of Copyrights on January 12, 2021, and was assigned registration number VA 2-239-700. The Certificate of Registration is attached hereto as **Exhibit 1**.

12. RADIC's Work is protected by copyright but was not otherwise confidential, proprietary, or trade secrets.

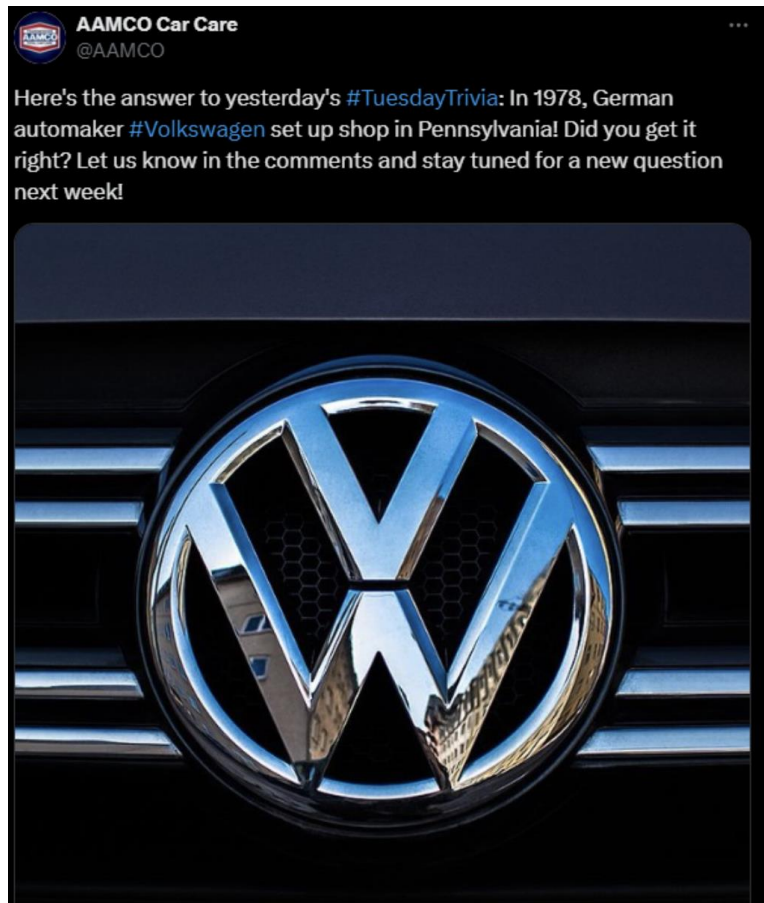
13. At all relevant times, RADIC was the owner of the copyrighted Work at issue in this case.

INFRINGEMENT BY AAMCO TRANSMISSIONS INC

14. AAMCO has never been licensed to use the Work at issue in this action for any purpose.

15. On a date after the Work at issue in this action was created, but prior to the filing of this action, AAMCO copied the Work.

16. On or about August 9, 2022, RADIC discovered the unauthorized use of his Work on the Website shown below:



17. AAMCO copied RADIC's copyrighted Work without RADIC's permission.

18. When AAMCO copied and displayed the Work at issue in this case, AAMCO removed RADIC's copyright management information from the Work.

19. RADIC never gave AAMCO permission or authority to remove copyright management information from the Work at issue in this case.

20. AAMCO copied and distributed RADIC's copyrighted Work in connection with Defendant's business for purposes of advertising and promoting Defendant's business, and in the course and scope of advertising and selling products and services.

21. RADIC's Work is protected by copyright but is not otherwise confidential, proprietary, or trade secrets.

22. AAMCO committed copyright infringement of the Work as evidenced by the documents attached hereto as **Exhibit 2**.

23. RADIC never gave AAMCO permission or authority to copy, distribute or display the Work at issue in this case.

24. RADIC notified AAMCO of the allegations set forth herein on July 29, 2024, August 22, 2024, October 8, 2024, October 23, 2024, November 18, 2024, November 26, 2024, December 9, 2024, December 11, 2024, and January 2, 2024. To date, the parties have failed to resolve this matter.

COUNT I
COPYRIGHT INFRINGEMENT

25. RADIC incorporates the allegations of paragraphs 1 through 24 of this Complaint as if fully set forth herein.

26. RADIC owns a valid copyright in the Work at issue in this case.

27. RADIC registered the Work at issue in this case with the Register of Copyrights pursuant to 17 U.S.C. § 411(a).

28. AAMCO copied, displayed, and distributed the Work at issue in this case and made derivatives of the Work without RADIC's authorization in violation of 17 U.S.C. § 501.

29. AAMCO performed the acts alleged in the course and scope of its business activities.

- 30. AAMCO's acts were willful.
- 31. RADIC has been damaged.
- 32. The harm caused to RADIC has been irreparable.

COUNT II
REMOVAL OF COPYRIGHT MANAGEMENT INFORMATION

33. RADIC incorporates the allegations of paragraphs 1 through 24 of this Complaint as if fully set forth herein.

34. The Work at issue in this case contains copyright management information ("CMI").

35. AAMCO knowingly and with the intent to enable or facilitate copyright infringement, removed CMI from the Work at issue in this action in violation of 17 U.S.C. § 1202(b).

36. AAMCO committed these acts knowing or having reasonable grounds to know that it will induce, enable, facilitate or conceal infringement of RADIC's rights in the Work at issue in this action protected under the Copyright Act.

37. AAMCO caused, directed and authorized others commit these acts knowing or having reasonable grounds to know that it will induce, enable, facilitate or conceal infringement of RADIC's rights in the Work at issue in this action protected under the Copyright Act.

38. RADIC has been damaged.

39. The harm caused to RADIC has been irreparable.

WHEREFORE, the Plaintiff IVAN RADIC prays for judgment against the Defendant AAMCO TRANSMISSIONS INC that:

a. AAMCO and its officers, agents, servants, employees, affiliated entities, and all of those in active concert with them, be preliminarily and permanently enjoined from committing the acts alleged herein in violation of 17 U.S.C. §§ 501, 1203;

b. AAMCO be required to pay Ivan Radic his actual damages and Defendant's profits attributable to the infringement, or, at RADIC's election, statutory damages, as provided in 17 U.S.C. §§ 504, 1203;

c. RADIC be awarded his attorneys' fees and costs of suit under the applicable statutes sued upon;

d. RADIC be awarded pre- and post-judgment interest; and

e. RADIC be awarded such other and further relief as the Court deems just and proper.

JURY DEMAND

RADIC hereby demands a trial by jury of all issues so triable.

Dated: January 9, 2025

Respectfully submitted,

/s/ Joseph A. Dunne
JOSEPH A. DUNNE
Bar Number: PA 325562
joseph.dunne@sriplaw.com

SRIPLAW, P. A.
41 Madison Ave.
25th Floor
New York, NY 10010
561.404.4350 – Telephone
561.404.4353 – Facsimile

Counsel for Plaintiff Ivan Radic